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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 REYCEL PEREZ-MARTINEZ,

9 Petitioner,

10 v.

11 MARGARET GILBERT,

12 Respondent.

Case No. 3:15-cv-05950-BHS-TLF

ORDER APPOINTING THE FEDERAL
PUBLIC DEFENDER

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14 This is a federal *habeas corpus* action brought under 28 U.S.C. § 2254. This matter
15 comes before the Court at the present time on petitioner's motion to appoint counsel. Dkt. 31.
16 The Court, having reviewed petitioner's motion, and the balance of the record, hereby finds and
17 ORDERS as follows:

18 (1) Petitioner's motion to appoint counsel (Dkt. 31) is GRANTED and the Federal
19 Public Defender for the Western District of Washington is appointed as counsel of record for
20 petitioner. While there is no constitutional right to appointment of counsel in actions brought
21 under § 2254, the Court may exercise its discretion to appoint counsel for a financially eligible
22 individual where the "interest of justice so requires." *Weygardt v. Look*, 718 F.2d 952, 954 (9th
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ORDER APPOINTING THE FEDERAL
PUBLIC DEFENDER - 1

1 Cir. 1983) (quoting Rule 8(c), 28 U.S.C. foll. § 2254); *see also* 18 U.S.C. § 3006A. This Court
2 concludes, based upon its review of the record, that petitioner is financially eligible for
3 appointment of counsel in this federal habeas proceeding, and that the interests of justice warrant
4 such an appointment given the complexity of the remaining issues raised by petitioner in his
5 *habeas corpus* petition.

6 (2) The Clerk is directed to send copies of this Order to petitioner, to the Federal
7 Public Defender's Office, and to the Honorable Benjamin H. Settle.

8 DATED this 18th day of September, 2017.

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Theresa L. Fricke
13 United States Magistrate Judge
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